T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:	17-Jun-08	APPL. S. N:	10795791					
To Examiner:	PHAN, TRI	Art Unit	2616					
From	Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68					
SUBJECT: Decision	on on Terminal Disclaimer(T.D.) filed:							
form paragraphs i or have any quest	I have reviewed the submitted T.D. with the identified by this informal memo in your nex tions, please see me or the Special Program (1) MAILED TO APPLICANT OR (2) PLACED C	t Office action to notify applicant of Examiner. THIS IS AN INFORMAL,	of the T.D. If you disagree INTERNAL MEMO ONLY.					
please initial, date	e and return this memo to me. THANK YOU.							
The T.D.	. is PROPER and has been recorded (see 14.	23).						
The T.D.	. is NOT PROPER and has not been accepted	for the reason(s) checked below (see 14.24):					
·	The TD fee of has not been submuse of a deposit account	itted nor is there any authorization	in the application file for the					
	The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).							
	The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).							
	The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).							
	The person who signed the T.D.:		•					
	is not an attorney "of record" (see	e 14.29 and 14.29.01).						
	has failed to state his/her capacit	y to sign for the business entity (s	ee 14.28).					
	is not recognized as an officer of	the assignee (see 14.29 & possible	14.29.02).					
· [j	No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).							
· 🗀	The T.D. is not signed (see 14.26 & 14.26.	03).	•					
	The serial number of the application (or the patenting rejection is missing or incorrect (ns the basis for the double					
	The serial number of this application (or th disclaimed is missing or incorrect (see 14.2	ne number of the patent in reexam 26, 14.27.02 or 14.26.05).	or reissue cases being					
	The period disclaimed is incorrect or not sp	pecified (see 14.26, 14.27.02 or 14	.26.03).					
	Other:	-						
	Suggestion to request refund (see 14.36), and do not check this item.	NOTE: If already authorized, credi	t refund to deposit account					
I have appropriat	ely notified applicant(s) of the status of the	Terminal Disclaimer filed in this ca	se.					
Ex.Initials:	Date:		Log Date:					

		10/795,791		DURHAM ET AL.		·		
Document Code - DISQ		Internal Doc		cument – DO NOT MAIL				
					·			
TERMINAL DISCLAIMER			☐ DISAPPROVED					
Date Filed : June 17, 2008	This patent is subject to a Terminal Disclaimer							
Approved/Disapproved by:								
Henry D. Jefferson						•		

Application/Control No.

Applicant(s)/Patent under

U.S. Patent and Trademark Office

Application Number

S/N 10/795,791 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David M. Durham et al. Examiner: Tri H. Phan

Serial No :

10/795,791

Group Art Unit: 2616

Filed:

March 8, 2004

Docket: 884.043US2

Title:

UP-TREE TOPOLOGY TRACE FOR NETWORK ROUTE TRACING

Customer Number: 21186

TERMINAL DISCLAIMER

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

1, Joseph P. Mehrle, am the attorney of record for the above identified patent application as evidenced by the Power of Attorney filed in the present application on March 8, 2004. I am making this petition on behalf of Intel Corporation, the assignee of the present invention. As the attorney of record, I am empowered to act on behalf of the assignee and, in accordance with 37 C.F.R. § 1.321(b)(iv), to sign this terminal disclaimer.

Certificate Under 37 C.F.R. § 3.73(b)

Your petitioner, Intel Corporation, certifies that they are the owner of the entire right, title and interest in and to the above-identified patent application (Serial No. 10/795,791) and to U.S. Patent No. 6704319. Your petitioner owns the entire right, title, and interest of these applications by nature of the assignment executed and filed for the parent application. The assignment for U.S. Patent No. 6704319 was recorded on March 24, 1999 on Reel 9841, Frames 0073 - 0076, with the United States Patent and Trademark Office. The above-identified patent application (Serial No. 10/795,791) is a continuation of U.S. Patent No. 6704319.

The undersigned representative of the assignee has reviewed the evidentiary documents of title and certifies that to the best of assignee's knowledge and belief, title is in the assignee, Intel Corporation, seeking to take the action set forth in this disclaimer.

TERMINAL DISCLAIMER Sérial Number: 10/795,791 Filing Date: March 8, 2004

Title: UP-TREE TOPOLOGY TRACE FOR NETWORK ROUTE TRACING

Terminal Disclaimer

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimers, of U.S. Patent No. 6704319. Petitioner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to U.S. Patent No. 6704319 and the legal title of the above-identified application and any patent granted thereon remain common, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

Limitations on the Disclaimer

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 6704319 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration date of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated hereinabove.

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Fee Status

Please charge Deposit Account No. 19-0743 in the amount of \$130.00, which is required under 37 C.F.R. § 1.20(d) to file a statutory disclaimer. The Commissioner of Patents and Trademarks is hereby authorized to charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By /

Joseph P. Mehrle Reg. No. 45,535